

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

GENEVA REED-VEAL, Individually & )  
as Mother &Independent Administrator of the Estate) )  
of SANDRA BLAND, deceased, )

Plaintiff, )

v. )

No. 4:15-cv-02232  
Judge David Hittner

BRIAN ENCINIA, Individually and as an agent )  
and/or employee of TEXAS DEPARTMENT OF )  
PUBLIC SAFETY; ELSA MAGNUS, Individually )  
and as an agent and/or employee of WALLER )  
COUNTY SHERIFF'S OFFICE; OSCAR )  
PRUDENTE, Individually and as an )  
agent and/or employee of WALLER COUNTY )  
SHERIFF'S OFFICE; and WALLER COUNTY; )  
RAFAEL ZUNIGA, Individually and as an agent )  
and/or employee of WALLER COUNTY )  
SHERIFF'S OFFICE; MICHAEL )  
SERGIS, Individually and as an agent and/or )  
employee of WALLER COUNTY SHERIFF'S )  
OFFICE; DORMIC SMITH, Individually and as an )  
agent and/or employee of WALLER COUNTY )  
SHERIFF'S OFFICE; CYNTHIA WHIDDEN, )  
Individually and as an agent and/or employee )  
of WALLER COUNTY SHERIFF'S OFFICE; )  
MARC LANGDON, Individually and as an agent )  
and/or employee of WALLER COUNTY )  
SHERIFF'S OFFICE; LT. SHERRY ROCHEN, )  
Individually and as an agent and/or )  
employee of WALLER COUNTY SHERIFF'S )  
OFFICE; ASST. CHIEF LANNY THIBODEAUX, )  
Individually and as an agent and/or employee of )  
WALLER COUNTY SHERIFF'S OFFICE; )  
MATTHEW MILLS, Individually )  
and as an agent and/or employee of WALLER )  
COUNTY SHERIFF'S OFFICE; MARIANNE )  
WILLIAMS, Individually and as an agent and/or )  
employee of WALLER COUNTY SHERIFF'S )  
OFFICE; RANDY LEWIS, Individually and as an )  
agent and/or employee of WALLER COUNTY )  
SHERIFF'S OFFICE )

Defendants.

**PLAINTIFF'S MOTION TO RECONSIDER**

Now comes the Plaintiff, GENEVA REED-VEAL, individually and as Mother & Independent Administrator of the Estate of SANDRA BLAND, deceased, by and through her attorneys, Tom Rhodes Law Firm, P.C. and files her Motion to Reconsider, and in support thereof, would respectfully show unto the Court the following:

**I.**

**BACKGROUND**

1. On April 29, 2016, Plaintiff filed her Opposed Motion for Leave to Conduct in Excess of Ten Depositions
2. On May 2, 2016, Defendants Brian Encinia, Marc Langdon, Randy Lewis, Elsa Magnus, Matthew Mills, Oscar Prudente, Sherry Rochen, Michael Sergis, Dormic Smith, Lanny Thibodeaux, Waller County, Cynthia Whidden, Marianne Williams and Rafael Zuniga filed their responses to Plaintiff's motion.
3. On May 5, 2016, at approximately 1:15 p.m., counsel for Plaintiff, Cannon Lambert's office left a message with Judge Hittner's chambers, informing this Court of counsel's intent to file a reply to Defendants' responses on May 6, 2016.

4. On May 6, 2016, this Court filed an Order, directing that Plaintiff may conduct no more than 15 total depositions totaling no more than 35 hours, collectively. This Order was issued without Plaintiff having the opportunity to file her reply, although counsel had indicated their intent to do so that same day.

## **II.**

### **ARGUMENT**

5. Plaintiff acknowledges and respects this Court's May 6, 2016, order. However, Plaintiff anticipates that as the discovery and deposition process develops, the need for deposition testimony beyond what this Court is currently permitting will become clear.
6. Plaintiff respectfully requests that should good cause be shown as a result of testimony taken during the permitted 15 depositions that she be permitted to later seek leave of court to take further depositions.

Wherefore, Plaintiff respectfully requests this Court reconsider its prior order to allow Plaintiff, at a later date and if good cause is shown, to seek leave of this Honorable Court to conduct more than fifteen depositions so as to allow her the opportunity to complete the depositions essential to her case. Plaintiff further requests any and all other relief as may be deemed just and equitable on her behalf.

Respectfully submitted,

/s/J. Thomas Rhodes, III

Jesse Thomas Rhodes, III

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Plaintiff's Motion to Reconsider was served on May 11, 2016, by the electronic filing system on all attorneys of record.

/s/J. Thomas Rhodes, III

Jesse Thomas Rhodes, III